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SUBJECT: EMBASSY HOLDS SUCCESSFUL CONFERENCE FOR GOI
LEGISLATIVE INSTITUTIONS

¶1. (SBU) SUMMARY: An Embassy-sponsored conference in July brought together representatives from all three branches of the Iraqi government to begin discussing ways to improve the legislative process. The conference was an Iraqi-led event with minimal facilitation by the Embassy, and the Iraqi participants responded to this approach by taking ownership of the meeting and coming up with concrete initial steps to try to make the legislative process more efficient and to strengthen the oversight functions of the legislature. The success of this event demonstrates that holding such events inside Iraq and encouraging the Iraqis to run them is the way to go in order to help build Iraqis, capacity to run their own country. END SUMMARY.

¶2. (SBU) The Political Section's Office of Constitutional and Legislative Affairs (CLA) held the first in a series of planned symposia on the Iraqi constitutional and legislative system July 8-11 in Erbil. The conference brought together 49 senior representatives from all three branches of the Iraqi government to begin discussing and resolving issues concerning the legislative and constitutional process. One major goal was to start a discussion about the way the various institutions of the GOI "legislative stream") those government bodies such as the Council of Representatives (CoR), the Council of Ministers, the Presidency Council, the Prime Minister's Office, and others which are involved in drafting and approving legislation) can better coordinate and work together to develop and pass legislation more efficiently. The conference was designed to be an Iraqi-led event with minimal facilitation by CLA, an approach that worked very well in getting the Iraqis engaged and taking charge of the conference and discussions.

¶3. (SBU) The legislative, executive, and judicial branches of the GOI were all well-represented at the conference. Present for the legislative branch were CoR Deputy Speakers Sheik Khalid Attiya and Arif Tayfur, along with Legal Committee Chairman Baha Al-Araji (Sadrist bloc) and Deputy Chairman Saleem Al Jabbouri (Tawafuq) and over a dozen other CoR members and senior staff. Representing the executive branch were senior legal advisors from the Council of Ministers' Secretariat and the Presidency Council; and for the judicial branch there were judges from the Iraqi Higher Judicial Council, the Federal Supreme Court, and the Court of Appeals.

An Iraqi Bar Association representative and Baghdad University professors also participated. The one notable absentee was Minister of State for Parliamentary Affairs and acting Minister of Justice Dr. Safa Al Safi, who refused to attend. His absence was publicly noted and criticized by many of the participants. As acting Justice Minister, Dr. Safi also prohibited members of the State Shura Council from attending this event.

¶4. (SBU) Sheik Attiya seized the initiative and took charge of the meeting, starting off with a large group discussion of major issues and then breaking participants out into smaller group sessions to try to actually solve specific problems in legislative drafting, unforeseen vetoes by the Presidency Council and executive oversight. Judge Amir Al Shimaree,

Director of the Legal Office at the Presidency Council, commented that "This is the first time ever in Iraq that Iraqi legal government officials, represented by the three branches (of government), have met to discuss an important issue, which is drafting legislation and the stages of the legislative process."

15. (SBU) The discussions and negotiations resulted in a memorandum agreed to by all parties present and which was to be submitted to the highest ranking officials in each branch, after submission to the CoR. The memorandum calls for 1) establishing a coordinating committee among the three branches to ensure promptness in executing legislation from inception to publication on the Gazette; 2) enactment of a new law to regulate ministries, especially the Ministry of State for Parliamentary Affairs; and 3) activation of Article 101 of the Constitution to create a State Council and until that occurs, supporting the Shura Council in its drafting role. The discussions also resulted in the outlining of six different goals to help end institutional frictions, smooth the flow of legislation and enhance the ability of the legislature to perform executive oversight. The participants agreed to hold further meetings between the branches in order to continue trying to improve the legislative process and start discussions about resolving differences over interpretation of the constitution.

16. (SBU) COMMENT: Two of the principal issues facing the CoR are failure to coordinate between the branches so that there are no surprises and failure to perform legislative oversight over the executive branch. The CoR has only been in existence since 2006 and so has not had time to establish

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traditions or develop formal and informal relationships with the other branches of government. The purpose of this conference was to get representatives of all three branches into one room at one time to help them establish their own relationships. This did in fact occur, with, for example, Judge Amir of the Presidency Council meeting with CoR Deputy Speaker Sheik Attiya in a relaxed setting where the two could come to agreement. And the result of these Iraqi-led interactions was a strong memorandum laying out an action plan that got support from all the top-level officials at the meeting. We believe a large part of this success was due to holding the meeting in Iraq and having the Iraqis take the leadership roles, i.e. creating an environment that allowed and encouraged the Iraqis to take ownership of the meeting and its conclusions. Some recent Iraq-related meetings have suffered from lack of buy-in from top Iraqi officials and a consequent lack of concrete follow-up plans. The success of this event demonstrates that holding such events inside Iraq and encouraging Iraqis to run them is the way to go in order to help build Iraqis, capacity to run their own country.
END COMMENT.

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